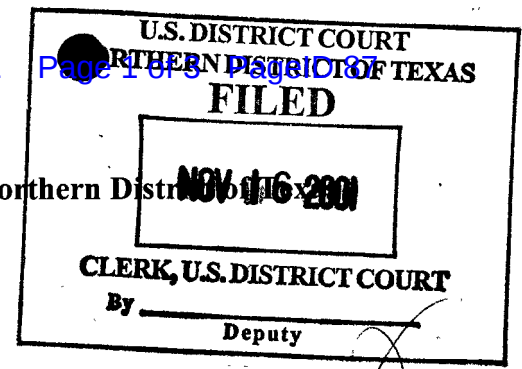


ORIGINAL



In the United States District Court for the Northern District of Texas
Dallas Division

(USA and)
Jamal Elhaj-Chehade
Co- plaintiff

Vs.
Educational Commission for Foreign Medical Graduates
(entities and individuals) defendants

3:01-CV-01301-L

**Plaintiff's motion to add Judge Boyle as a co-defendant and transfer the case
3:99CV 680-D/BC and reopen it and consolidate the proceeding.**

November, 14, 2001

Comes now on this date November 14, 2001. the plaintiff is filing his motion to leave the court to assume over the proceeding in the case 3:99CV 680-D and add judge Boyle as a nominal partial co-defendant as follow:

- 1 -This court refused to transfer this case to consolidate with other proceedings.
- 2 – Judge Jane Boyle is a partial nominal defendants in this case in the double jeopardy, due process, protection of the laws and exparte communication(or the alternative) clauses.
- 3- Judge Boyle is a nominal Party Co-defendant and that the real party defendants remain the ECFMG et al. both in liability and reliefs requested.

Arguments and Citations

- 1- The US Constitution and the US(Federal and state) laws are the supreme laws of the land. The US Government position is clear and already established that he will not allow or advocate or endorse by any mean (or alternative) for the violation of the supreme laws. The US Government through its various branches made it clear that it will not allow for the violation of the laws and it will not allow for the racial(ethnic/racial..) profiling. Judge Boyle not only advocated the violations of such laws but also rewarded the defendants for such violations and she engaged in cover ups. Therefore Judges Boyle did not act as a governmental party nor she abide by the US laws and she did not respect the US policies and laws when she rewarded the defendants. And her actions do not represent the position of the US Government. Therefore, Judge Boyle is nominated as defendants as a nominal party(and not the US government).
- 2- The nomination of Judge Boyle as a nominal Co-defendant, **does not reduce or alter the liability** of the main and real defendants(the ECFMG et al). The ECFMG et al are the sole and fully liable and responsible for the plaintiff misery and even if such misery involves or is done through third parties(nominal or

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otherwise). The naming of judge Boyle is limited as to allow relief when a public employee run astray by not abiding by the US Government laws and position(double jeopardy) and that such relief must come from the ECFMG et al being fully responsible for the mess created(see below). The naming of Judge Boyle is based on the facts(assumption) that the US Government would never allow the violations of the laws(facts) and upon the facts that the US justice system is not perfect and **relief** exist under these clauses where anomaly arise specially when a governmental agent must violate the laws under certain anomaly(double jeopardy). The plaintiff is entitled for relief under all clauses. Therefore naming Judge Boyle is in name only Cf. **Hinson v. National Transp,Safety Bd**, 57 F. 3d 1144, 1147 n.19 D.C. Cir 1995) (NTSB); **In re Perry**, 882 F 2d 534, 542(1st Circle 1989); **Oil, Chemical & Atomic Workers v. OSHRC**, 671 F 2d 643, 651-53 D.C Cir 459 U.S. 9059 (1982) and in **Polarized New England Co, v. Benefit review Bd**, 637 F, 2d 30 9 1st Cir 1980) the naming of a governmental agent or agency is a form of exercise as to allow relief under the law.

- 3- The plaintiff is labeled as FMG for life(permanent label) and that the defendants ECFMG et al do have a **life term(permanent) duty toward the plaintiff** that cannot be broken, Such duty extends to and go beyond the 501-3-c clause under which the defendants(fraudulently) sought to operate and benefit. The plaintiff does have claims against the defendants ECFMG also under the laws of the US in both as a public and as an FMG. As a consumer and as a provider. *Simply stated the defendants ECFMG et a, l are there created to work for the benefits and welfare and excellence and integration of the plaintiff into the US healthcare system. And that the defendants ECFMG et al must **NEVER** engage, or create any type of atmosphere or condition as to create any type of setback for the plaintiff (through any type of interference even if such interference is legal). The defendants behavior says it all(interference with the plaintiff progress, advancement, integration, work, education, advocating discrimination, etc...) as to cause all harm for the plaintiff for which reliefs in all forms must be granted. The defendants ECFMG et al engages in Fraud, deception, extortion, RICO, conspiracy, and tax fraud and misallocation or channeling of funds, embezzlement, and abuse of authority and other scam of the US public and the Us Government, as to cause direct harms for the plaintiff and aggravations and emotional distress.*
- 4- **The defendants admitted to every element of every claim brought against them in both cases 3: 99 CV 680 and this case that both cases must be consolidated.** This case is extremely simple in that the defendants admitted to everything in their income tax filings such as 1997 and others , and in their directories such as the 1997 and 2001 directories etc.. and evidences are available upon request and upon hearing.

- 5- Therefore the plaintiff is requesting that this court send notice to judge Boyle and US attorneys for consent and waiver as to be included(judge Boyle) as a nominal defendant.
- 6- It must be clearly understood, that the US government is a party of interest against the defendants ECFMG et al for violating various US laws (RICO, Cheating in tax and benefits, frauds, profiling, etc...)
- 7- The plaintiff prays that this court allow to transfer the case 3:99CV 680 and reopen it/consolidate the proceedings and allow the proceeding in all cases together thereby increasing court efficiency by allowing proper administration of justice and reducing the costs of litigations. and that upon consideration allow for the proper hearing and give the plaintiff all the reliefs as entitled or as seem fit or just by the decency of the courts. The only solution is that by having the defendants ECFMG et al start respecting the US by giving the consideration and respect to its people and its laws.

Certificate of service: this is to certify that a true copy of the foregoing was sent to the defendant on the 16th November, 2001 via regular prepaid postage USPS and via e-mail via their attorneys Mrs. Susan Schwartz and via airmail regular USPS at 6688 N. Central Expressway #850 Dallas Texas 75206--3913,

Respectfully Submitted
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